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January 13, 2017

Our File No.: 162807

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Toronto and East York Community Council
c/o City Clerk's Office
City Hall, 2nd Floor
100 Queen Street West
Toronto, Ontario M5H 2N2

Attn: Ellen Devlin, City Clerk's Office TEYCC Secretariat

**Re: TEYCC Agenda Item 21.1 – Bloor Corridor/Annex Block Planning Study Official Plan
Amendment Final Report
The Bank of Nova Scotia: 332 Bloor Street West**

We are solicitors for The Bank of Nova Scotia (the "Bank"), the owner of the property known municipally as 332 Bloor Street West in the City of Toronto (the "Bank Property"). The Bank Property is located at the northeast corner of Bloor Street West and Spadina Road and is currently occupied by a Bank of Nova Scotia branch. We are writing to set out the following initial comments with respect to the City Initiated Bloor Corridor/ Annex Block Planning Study Official Plan Amendment ("OPA 365"):

1. The Bank shares the City's view that the Spadina Node area of Bloor Street West, including the Bank Property, is a key multi modal transit hub and an appropriate location to accommodate intensification. The Bank also agrees that the Bank Property is located at the height peak of the Node and is an appropriate location for a tower.
2. The Bank is concerned, however, that OPA 365 contains a number of overly prescriptive and restrictive elements. In particular, the Bank does not agree that the prescribed height maximums and minimum tower separation standards are required. The Bank questions whether these requirements will result in the optimal use of these lands which are designated *Mixed Use Areas* in the *Downtown* in ideal proximity to high order transit.
3. The Bank is also concerned that the revised policies in regard to portions of the Knox College silhouette view, as contained in both OPA 365 and the proposed draft amendment to Official Plan Amendment 199 ("OPA 368"), are inflexible and unnecessarily ridged.

Draft Bloor Corridor/Annex Block Planning Study and OPA 365:

The Bloor Corridor/Annex Block Planning Study reviewed the properties on the north side of Bloor Street West, between Walmer Road and St. George Street, including the Bank Property (the "Study Lands").

The Study Lands are predominantly designated *Mixed Use Areas*, and are located within the *Downtown*, in an Urban Growth Centre, in close proximity to high order transit, making these lands a key location for intensification.

In terms of the proximity to high order transit, the Spadina subway and bus station is located directly to the rear of the Bank Property on Spadina Road. This station provides access to both the Line 1 (Yonge-University-Spadina) subway, and the Line 2 (Bloor-Danforth) subway. It is also served by the 510 Spadina streetcar route which employs new high-capacity streetcars and TTC bus route 127 Davenport. The Study Lands also abut St. George subway station at their east end which similarly provides access to both Line 1 (Yonge-University-Spadina) subway, and the Line 2 (Bloor-Danforth) subway. St. George subway station is also served by TTC bus route 26 Dupont.

The Study Lands are already subject to an existing Site and Area Specific Policy, SASP 334. Approximately half of the Study Lands, including the Bank Property, are located within the area identified as the “Spadina Node” in SASP 334. SASP 334 particularly emphasises the Spadina Node as the focus of intensification for the area:

- at the intersection of two major streets;
- at a multimodal transportation hub; and
- with a height peak located at the intersection of Bloor Street West and Spadina Road.

OPA 365 proposes amendments to SASP 334 with particular emphasis on the Spadina Node. OPA 365 does not propose to redesignate any lands, but refines applicable policies and associated mapping.

Prescribed Height Maximums – Policies 1.iii) b) and c):

Despite continuing to acknowledge the importance of the Spadina Node as a key multi-modal hub where intensification is appropriate, and including policies that deal with appropriate transition in scale, OPA 365 also incorporates inflexible height maximums for lands both at the height peak and in proximity to the height peak of the Node, including the Bank Property.

To limit building heights in an intensification area in this way is inappropriate. The amount of intensification should not be arbitrarily limited by a stated height maximum despite the inclusion of policies which are in place to maintain appropriate transitions to surrounding properties and neighbourhoods. In addition, OPA 365 does not propose to amend the associated Bloor Corridor Urban Design Guidelines which already provide flexible development guidelines for the Study Lands.

Inflexible Tower Separation Standards - Policy 1. iii) d):

Similar to the concerns raised by the Bank in its appeal of the TO Core: Updating Tall Building Setbacks in the Downtown – City Initiated Official Plan Amendment and Zoning By-law Amendment (the “TO Core Amendment”), the Bank is concerned that OPA 365 Policy 1. iii) d) imports setback standards that currently reside in a set of guidelines.

This imposition results in the introduction of unnecessary rigidity into the planning framework for the Spadina Node that could impede a flexible approach to development that recognizes each site’s unique characteristics. As noted in the letter provided to City Council in regard to the proposed TO Core Amendments, we maintain that the best way to ensure that planning for tall buildings appropriately accounts for site and area specific considerations is to maintain tall building setback standards in guidelines.

Public Accessible Open Spaces (“POPS”) – Policy 1. iii) i):

While the Bank does not generally object to the City’s goal of seeking to secure appropriate publicly accessible open spaces, reasonable sidewalk widths and mid-block connections as part of the development process, the reference to Map 3 in OPA 365 policy 1. iii) i) and its interpretation creates a potential concern. The potential imposition of both an increased minimum 6 metre wide boulevard on both the Bloor Street West and Spadina Road frontage and the denotation of a POPS at the corner of Bloor Street West and Spadina Road, both on the Bank Property, could restrict the Bank’s ability to appropriately intensify at the Node’s stated height peak. Appropriate flexibility should be introduced to ensure that the imposition of POPS and increased sidewalk widths are not rigid and can be accommodated without negatively impacting the development potential of key intensification sites.

The Strict Preservation of Views of Portions of Knox College (Draft OPA 365 Policy 1. iii.) e) and Draft OPA 368)

The Bank is concerned about the proposed imposition of potentially inflexible setbacks to protect the silhouette view of portions of Knox College. Language should be introduced that is similar to the language that currently exists in SASP 336 to permit an appropriate view corridor analysis to determine on a site by site basis the appropriate balance of view conservation and intensification of key sites.

Conclusions:

While the Bank shares the City’s view that:

- the Spadina Node is a key multi modal transit hub and an appropriate location to accommodate intensification; and
- the Bank Property located at the height peak of the Node is an appropriate location for a tower,

the Bank does not agree that the proposed height, setback and inflexible view restrictions represent the optimal use of the Subject Lands, including the Bank Property. The Bank believes that with the removal of these prescriptive and restrictive elements, including the height maximums, and the tower separations requirements and with the inclusion of more flexible language in regard to the proposed view corridors and POPS locations, an appropriate redevelopment of the Subject Lands could be achieved that would respect the key principles of the Bloor Corridor/Annex Block Planning Study.

We would appreciate receiving notice of any decision regarding Draft OPA 365 and Draft OPA 368.

Yours very truly,

GOODMANS LLP



Anne Benedetti

cc. David Roberts, The Bank of Nova Scotia
Councillor Joe Cressy, Councillor Ward 20 Trinity-Spadina